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EXAMINER
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MOBIN, HASANUL

ART UNIT	PAPER NUMBER
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2168

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10/14/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/760,092	<b>Applicant(s)</b> HIRABAYASHI ET AL.	
	<b>Examiner</b> HASANUL MOBIN	<b>Art Unit</b> 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9,11-35,37-41 and 43-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9,11-35,37-41 and 43-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Remarks***

1. In view of the Appeal Brief filed on August 5, 2011, PROSECUTION IS HEREBY REOPENED. *A new ground of rejection is set forth below.*

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. Claims 1-9, 11-35, 37-41 and 43-50 are pending in this office action for examination.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claims 1, 5, 7-9, 11-35, 37-41, 43, 47 and 49-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Makoto et al. (European Patent Application No. EP 1085515 A2, 'Makoto' hereafter, provided by the Applicant's IDS).

**Regarding claims 1, 32 and 38,** Makoto teaches a recording apparatus for recording desired files on a recording medium (*a recording apparatus, a recording medium, and a disc shaped record medium that allow a reproducing operation and/or an editing operation to be easily performed, Makoto,[0006]*), comprising:

index file generation means for generating an index file of the files recorded on the recording medium (*Makoto,[0007], [0036] discloses generating index file recorded on a recording medium. A digital recording apparatus using a disc shaped record medium, comprising a means for extracting outlined information of each of a plurality of files recorded on the disc shaped record medium, a means for correlating the extracted outlined information and the plurality of files and generating an index file, and a means for recording the index file to a predetermined position of the disc shaped record medium, wherein when a predetermined operation mode is performed, a plurality of types of data of the plurality of files are output in a predetermined format*), said index file having a series of entries each being a block of extract information relating to and coordinated with one of the files recorded on the recording medium (*Makoto, [0007], [0036], [0042-0044] and Figs. 5-6 discloses a means for extracting outlined information of each of a plurality of files recorded on the disc shaped record medium, a means for correlating the extracted outlined information and the plurality of files and generating an*

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*index file, and a means for recording the index file to a predetermined position of the disc shaped record medium, wherein when a predetermined operation mode is performed, a plurality of types of data of the plurality of files are output in a predetermined format. Makoto also discloses an index file generated with QuickTime movie file. In this case, the index file handles four types of data that are a property, a title, a thumbnail picture, and an intro-music. The movie resource portion contains tracks corresponding to four types of data that are a property track 62, a title track 63, a thumbnail picture track 64, and an intro-music track 65 as well as a movie header 61. However, only the property track 62 is an essential. Fig. 6 shows a table of an example of the property track 62. Each of AV File Property #1, AV File Property #2, ..., and AV File Property #n defined as chunks of properties of individual AV files has a data length (variable length represented in bytes) ( $L_{AP1}$ ,  $L_{AP2}$ , ..., and  $L_{APn}$ ) and a start byte position (0,  $L_{AP1}$ ,  $L_{AP1} + L_{AP2}$ , ...));*

said index file comprising respective files, each associated with a different attribute selected from a plurality of attributes and each including a header and data related to said attribute (Makoto, [0038] discloses there are plurality of tracks and header and [0043-0044] and Figs.5- 6 discloses movie resource portion contains tracks that are property track, a title track, a thumbnail track and an intro-music track as well as a movie track),

wherein each of the respective files corresponding to a predetermined attribute selected from the plurality of attributes, and each of the plurality of respective files stores starting bytes and data lengths of entries corresponding to the predetermined

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attribute (Makato [0044] *Fig. 6 discloses a table of an example of the property track ...has a data length ... a start byte position*), and

wherein the plurality attributes include a property attribute, a text attribute, a thumbnail attribute, and an audio attribute (Makoto, [0038] *discloses there are plurality of tracks and header and [0043-0044] and Fig. 6 discloses movie resource portion contains tracks that are property track, a title track, a thumbnail track and an into-music track as well as a movie track*);

classification means for classifying the block of extracted information included in each entry, according to the plurality of attributes (Makoto, [0043]),

wherein each file of the index file is associated with only one attribute and each attribute of the plurality of attributes is associated with a respective file of the index file (Makoto, [0044] *and Fig. 6*); and

a display means to display data based on the classification and association (*A display device and a display panel displays a reproduced picture and indications corresponding to an operation mode* Makoto, [0030-0032]).

**Regarding claims 5, 33 and 39**, Makoto teaches a recording apparatus for recording desired files on a recording medium (*a recording apparatus, a recording medium, and a disc shaped record medium that allow a reproducing operation and/or an editing operation to be easily performed*, Makoto, [0006]), comprising:

index file generation means for generating an index file of the files recorded on the recording medium having a series of entries each being a block of extract

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information relating to and coordinated with one of the files (Please see claim 1 for this limitation);

said index file generation means dividing the extract information relating to any of the files to generate the index file, which includes a plurality of entries (Makoto,[0058-0059] and [0043-0044]);

said index file generation means setting, to the entry of the divided extract information, as information representative of a mutual relationship between the entries, information indicative of an entry in which the succeeding divisional extract information is recorded (Makoto,[0058-0059] and [0043-0044]);

said index file generation means setting, to the entry in which the succeeding divisional extract information is recorded, an identifier indicating that the entry has the succeeding divisional extract information recorded therein (Makoto,[0058-0059] and [0043-0044]);

wherein each of the respective files corresponding to a predetermined attribute selected from the plurality of attributes, and each of the plurality of respective files stores starting bytes and data lengths of entries corresponding to the predetermined attribute (Please see claim 1 for this limitation), and

wherein the plurality attributes include a property attribute, a text attribute, a thumbnail attribute, and an audio attribute (Please see claim 1 for this limitation);

wherein the block of extracted information included in each entry is classified according to a plurality of attributes (Please see claim 1 for this limitation), and

wherein each file of the index file is associated with only one attribute and each attribute of the plurality of attributes is associated with a respective file of the index file (Please see claim 1 for this limitation); and

a display means to display data based on the classification and association (Please see claim 1 for this limitation).

**Regarding claims 7, 34 and 40,** Makoto teaches a recording apparatus for recording desired files on a recording medium (*a recording apparatus, a recording medium, and a disc shaped record medium that allow a reproducing operation and/or an editing operation to be easily performed, Makoto,[0006]*), comprising:

index file generation means for generating an index file of the files recorded on the recording medium having a series of entries each being a block of extract information relating to and coordinated with one of the files (*Please see claim 1 for this limitation*);

said index file generation means setting, where the files recorded on the recording medium include a plurality of child files generated by dividing one set of contents and a parent file for managing the plural child files, to the entries relating to the child files and the parent file, as information representative of a mutual relationship between the entries, identifiers indicating that the files are the child files and the parent file, respectively (*hierarchical file structure with root directory (i.e., parent) and sub directories (i.e., child), Makoto,[0060-0061]*),

wherein each of the respective files corresponding to a predetermined attribute selected from the plurality of attributes, and each of the plurality of respective files



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stores starting bytes and data lengths of entries corresponding to the predetermined attribute (*Please see claim 1 for this limitation*), and

wherein the plurality attributes include a property attribute, a text attribute, a thumbnail attribute, and an audio attribute (*Please see claim 1 for this limitation*);

wherein the block of extracted information included in each entry is classified according to a plurality of attributes (*Please see claim 1 for this limitation*), and

wherein each file of the index file is associated with only one attribute and each attribute of the plurality of attributes is associated with a respective file of the index file (*Please see claim 1 for this limitation*); and

wherein the data based on the classification and association is provided to an output device (*A display device and a display panel displays a reproduced picture and indications corresponding to an operation mode Makoto, [0030-0032]*)

**Regarding claim 8**, Makoto teaches that said index file generation means sets, to the entries relating to the child files, information which indicates the entry relating to the parent file (*hierarchical file structure with root directory (i.e., parent) and sub directories (i.e., child)*, Makoto,[0060-0061]).

**Regarding claims 9, 35 and 41**, Makoto teaches a recording apparatus for recording desired files on a recording medium (*a recording apparatus, a recording medium, and a disc shaped record medium that allow a reproducing operation and/or an editing operation to be easily performed*, Makoto,[0006]), comprising:

index file generation means for generating an index file of the files recorded on the recording medium having a series of entries each being a block of extract

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information relating to and coordinated with one of the files (Please see claim 1 for this limitation);

said index file generation means registering information of file formats of the files into corresponding ones of the entries (*Makoto, [0049] and Fig. 6 discloses that the registered title is placed as real data in the movie data portion. The data length and the start position of the title of each AV files are represented with the title track*).

wherein each of the respective files corresponding to a predetermined attribute selected from the plurality of attributes, and each of the plurality of respective files stores starting bytes and data lengths of entries corresponding to the predetermined attribute (*Please see claim 1 for this limitation*), and

wherein the plurality attributes include a property attribute, a text attribute, a thumbnail attribute, and an audio attribute (*Please see claim 1 for this limitation*);

wherein the block of extracted information included in each entry is classified according to a plurality of attributes (*Please see claim 1 for this limitation*), and

wherein each file of the index file is associated with only one attribute and each attribute of the plurality of attributes is associated with a respective file of the index file (*Please see claim 1 for this limitation*); and

a display means to display data based on the classification and association (*Please see claim 1 for this limitation*).

**Regarding claims 11, 37 and 43,** Makoto teaches a recording apparatus for recording desired files on a recording medium (*a recording apparatus, a recording*

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*medium, and a disc shaped record medium that allow a reproducing operation and/or an editing operation to be easily performed, Makoto,[0006]), comprising:*

index file generation means for generating an index file of the files recorded on the recording medium having a series of entries each being a block of extract information relating to and coordinated with one of the files *(Please see claim 1 for this limitation);*

said index file generation means registering information unique to processing means for the files and information for specifying the processing means relating to the unique information *(Makoto,[0049] and Fig. 6 discloses that the registered title is placed as real data in the movie data portion. The data length and the start position of the title of each AV files are represented with the title track).*

wherein the block of extracted information included in each entry is classified according to a plurality of attributes *(Please see claim 1 for this limitation), and*

wherein each file of the index file is associated with only one attribute and each attribute of the plurality of attributes is associated with a respective file of the index file *(Please see claim 1 for this limitation); and*

wherein each of the respective files corresponding to a predetermined attribute selected from the plurality of attributes, and each of the plurality of respective files stores starting bytes and data lengths of entries corresponding to the predetermined attribute *(Please see claim 1 for this limitation), and*

wherein the plurality attributes include a property attribute, a text attribute, a thumbnail attribute, and an audio attribute *(Please see claim 1 for this limitation);*

a display means to display data based on the classification and association  
*(Please see claim 1 for this limitation).*

**Regarding claim 12,** Makoto teaches that said index file generation means registers the unique information into the index file by setting the unique information to the corresponding entries (Makoto, [0049] and Fig. 6 discloses that the registered title is placed as real data in the movie data portion. The data length and the start position of the title of each AV files are represented with the title track).

**Regarding claim 13,** Makoto teaches that said index file generation means registers the unique information into the index file by setting reference destinations of the unique information to the corresponding entries (Makoto, [0049] and Fig. 6 discloses that the registered title is placed as real data in the movie data portion. The data length and the start position of the title of each AV files are represented with the title track).

**Regarding claim 14,** Makoto teaches that said index file generation means forms the index file from a data group of the extract information and a management data group for managing the data group (Makoto, [0007], [0036], [0042-0044] and Figs. 5-6 discloses a means for extracting outlined information of each of a plurality of files recorded on the disc shaped record medium, a means for correlating the extracted outlined information and the plurality of files and generating an index file, and a means for recording the index file to a predetermined position of the disc shaped record medium, wherein when a predetermined operation mode is performed, a plurality of types of data of the plurality of files are output in a predetermined format. Makoto also discloses an index file generated with QuickTime movie file. In this case, the index file

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*handles four types of data that are a property, a title, a thumbnail picture, and an intro-music. The movie resource portion contains tracks corresponding to four types of data that are a property track 62, a title track 63, a thumbnail picture track 64, and an intro-music track 65 as well as a movie header 61. However, only the property track 62 is an essential. Fig. 6 shows a table of an example of the property track 62. Each of AV File Property #1, AV File Property #2, ..., and AV File Property #n defined as chunks of properties of individual AV files has a data length (variable length represented in bytes) ( $L_{AP1}$ ,  $L_{AP2}$ , ..., and  $L_{APn}$ ) and a start byte position (0,  $L_{AP1}$ ,  $L_{AP1} + L_{AP2}$ ...)).*

**Regarding claim 15,** Makoto teaches that said index file generation means forms the index file from different files for the data group of the extract information and the management data group from each other (Please see claim 14 for this limitation).

**Regarding claim 16,** Makoto teaches that said index file generation means groups the data group of the extract information for each attribute and forms the index file from different files for the individual groups of the data group and the management data group from one another (Please see claim 14 for this limitation).

**Regarding claim 17,** Makoto teaches that said index file generation means forms the index file from a data group of the extract information and a management data group for managing the data group (Please see claim 14 for this limitation).

**Regarding claim 18,** Makoto teaches that said index file generation means forms the index file from different files for the data group of the extract information and the management data group from each other (Please see claim 14 for this limitation).

**Regarding claim 19,** Makoto teaches that said index file generation means groups the data group of the extract information for each attribute and forms the index file from different files for the individual groups of the data group and the management data group from one another (Please see claim 14 for this limitation).

**Regarding claim 20,** Makoto teaches that said index file generation means forms the index file from a data group of the extract information and a management data group for managing the data group (Please see claim 14 for this limitation).

**Regarding claim 21,** Makoto teaches that said index file generation means forms the index file from different files for the data group of the extract information and the management data group from each other (Please see claim 14 for this limitation).

**Regarding claim 22,** Makoto teaches that said index file generation means forms the index file from a data group of the extract information and a management data group for managing the data group (Please see claim 14 for this limitation).

**Regarding claim 23,** Makoto teaches that said index file generation means forms the index file from a data group of the extract information and a management data group for managing the data group (Please see claim 14 for this limitation).

**Regarding claim 24,** Makoto teaches that said index file generation means forms the index file from different files for the data group of the extract information and the management data group from each other (Please see claim 14 for this limitation).

**Regarding claim 25,** Makoto teaches that said index file generation means groups the data group of the extract information for each attribute and forms the index

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file from different files for the individual groups of the data group and the management data group from one another (Please see claim 14 for this limitation).

**Regarding claim 26,** Makoto teaches that said index file generation means forms the index file from a data group of the extract information and a management data group for managing the data group (Please see claim 14 for this limitation).

**Regarding claim 27,** Makoto teaches that said index file generation means forms the index file from different files for the data group of the extract information and the management data group from each other (Please see claim 14 for this limitation).

**Regarding claim 28,** Makoto teaches that said index file generation means groups the data group of the extract information for each attribute and forms the index file from different files for the individual groups of the data group and the management data group from one another (Please see claim 14 for this limitation).

**Regarding claim 29,** Makoto teaches that said index file generation means forms the index file from a data group of the extract information and a management data group for managing the data group (Please see claim 14 for this limitation).

**Regarding claim 30,** Makoto teaches that said index file generation means forms the index file from different files for the data group of the extract information and the management data group from each other (Please see claim 14 for this limitation).

**Regarding claim 31,** Makoto teaches that said index file generation means groups the data group of the extract information for each attribute and forms the index file from different files for the individual groups of the data group and the management data group from one another (Please see claim 14 for this limitation).

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**Regarding claim 47**, Makoto teaches a reproduction method for reproducing files recorded on a predetermined recording medium based on a predetermined index file to provide the reproduced files to a user (*a recording apparatus, a recording medium, and a disc shaped record medium that allow a reproducing operation and/or an editing operation to be easily performed*, Makoto,[0006]), said method comprising the steps of:

reproducing the index file, said index file being formed from a series of entries, each being a block of extracted information relating to and coordinated with one of the files recorded on said recording medium, and

each index file comprising respective files, each associated with a different attribute and each including a header and data related to said attribute (please see claim 1 for this limitation),

classifying the block of extracted information included in each. entry according to a plurality of attributes (please see claim 1 for this limitation);

a first associating step of associating each file of the index file with only one attribute (please see claim 1 for this limitation);

a second associating step of associating each attribute of the plurality of attributes with a respective file of the index file (please see claim 1 for this limitation);  
and

providing data based on the classifying step, first associating step and second associating step to an output device (please see claim 1 for this limitation),



wherein the plurality attributes include a property attribute, a text attribute, a thumbnail attribute, and an audio attribute (please see claim 1 for this limitation), and

wherein each of the respective files corresponding to a predetermined attribute selected from the plurality of attributes, and each of the plurality of respective files stores starting bytes and data lengths of entries corresponding to the predetermined attribute (please see claim 1 for this limitation).

**Regarding claim 49, Makoto** teaches that the desired files include video files and audio files (*Makoto, [0017], [0027-0029], [0049] and Figs. 1 and 9 discloses encoding video and audio data of QuickTime movie file (i.e., registering information into code about the QuickTime movie file) and translating from the encoding (i.e., decoding) video and audio data of QuickTime movie file).*

**Regarding claim 50, Makoto** teaches that file generating means for converting the video files and the audio files into a QuickTime movie file; wherein the index file has an organization substantially the same as that of a QuickTime Movie file (*Makoto, [0017], [0027-0029], [0049] and Figs. 1 and 9 discloses encoding video and audio data of QuickTime movie file (i.e., registering information into code about the QuickTime movie file) and translating from the encoding (i.e., decoding) video and audio data of QuickTime movie file).*

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 2, 3, 4, 6, 44, 45, 46 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Makoto et al. (European Patent Application No. EP 1085515 A2, 'Makoto' hereafter, provided by the Applicant's IDS) in view of Inokuchi et al. (U.S. Patent No. 6,144,969, 'Inokuchi' hereafter, previously provided).

**Regarding claim 2,** Makoto does not teach that said index file generation means sets the reproduction order within a group of those entries which are selected from among the entries provided in the index file.

However, Inokuchi teaches that said index file generation means sets the reproduction order within a group of those entries which are selected from among the entries provided in the index file (The cache manager CAM creates a list of blocks to be

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written on the CD-R disc DISC in accordance with a predetermined priority from among the write cache block in accordance with the request at step SP1 of FIG. 10, Inokuchi, Col 13, lines 7-42).

Therefore, it would have been obvious to one ordinary skill in the art at the time of invention was made having the teachings of Makoto and Inokuchi before him/her, to modify Makoto with Inokuchi's system and method to convert file name. One would have been motivated to do so in order to facilitating better file management (indexing, classifying, storing) among different operating systems as taught by Inokuchi.

**Regarding claim 3,** Makoto does not teach that the group of entries is a group of those entries which correspond to favorite ones of the files selected by a user.

However, Inokuchi teaches that the group of entries is a group of those entries which correspond to favorite ones of the files selected by a user (user data (block data) of the sequence file created by the user, Inokuchi, Col 15, lines 12-15 and Col 13, lines 7-12).

Therefore, it would have been obvious to one ordinary skill in the art at the time of invention was made having the teachings of Makoto and Inokuchi before him/her, to modify Makoto with Inokuchi's system and method to convert file name. One would have been motivated to do so in order to facilitating better file management (indexing, classifying, storing) among different operating systems as taught by Inokuchi.

**Regarding claim 4,** Makoto does not teach that said index file generation means forms an entry which describes the reproduction order in the form of a table in the index file to set information representative of the reproduction order to the index file.

However, Inokuchi teaches that said index file generation means forms an entry which describes the reproduction order in the form of a table in the index file to set information representative of the reproduction order to the index file (an index node D constituting the intermediate node of B\*tree (B star-tree), the sequence key SQK (key1, key2, key3, . . . ) of each head extent information EXT<sub>x</sub> of each of the corresponding leaf nodes E, F or G is stored together with the node number. When the sequence keys (key1, key2, key3, . . . ) are designated, the leaf nodes E, F or G corresponded by the node number are read out from the physical address LBA on the CD-R disc by referring to the node table, Inokuchi, Col 7, lines 28-35 and Fig. 4 and 5).

Therefore, it would have been obvious to one ordinary skill in the art at the time of invention was made having the teachings of Makoto and Inokuchi before him/her, to modify Makoto with Inokuchi's system and method to convert file name. One would have been motivated to do so in order to facilitating better file management (indexing, classifying, storing) among different operating systems as taught by Inokuchi.

**Regarding claim 6**, Makoto does not teach that said index file generation means groups pieces of the extract information for each attribute to generate the index file and sets, to the index file, an identifier indicating to which one of the groups each of the pieces of the divisional extract information belongs.

However, Inokuchi teaches that said index file generation means groups pieces of the extract information for each attribute to generate the index file and sets, to the index file, an identifier indicating to which one of the groups each of the pieces of the divisional extract information belongs (Inokuchi, Fig. 5).

Therefore, it would have been obvious to one ordinary skill in the art at the time of invention was made having the teachings of Makoto and Inokuchi before him/her, to modify Makoto with Inokuchi's system and method to convert file name. One would have been motivated to do so in order to facilitating better file management (indexing, classifying, storing) among different operating systems as taught by Inokuchi.

**Regarding claims 44, 45, 46 and 48,** Makoto does not teach that the said index file generation means sets to the index file, as information representative of a mutual relationship between the entries, information indicative of a reproduction order of the entries or of the files corresponding to the entries.

However, Inokuchi teaches that the said index file generation means sets to the index file, as information representative of a mutual relationship between the entries, information indicative of a reproduction order of the entries or of the files corresponding to the entries (a recording state of the data onto the CD-R disc. In the multi-session packet recording method, a plurality of sessions (Session 1, Session 2, . . . ) are subsequently recorded from the inner periphery to the external periphery on the CD-R disc in a spiral manner. On the inside of the recording area, a power calibration area (PCA) and a program memory area (PMA) are secured so that information for power adjustment and management information in each session can be recorded, Inokuchi, Col 14, lines 47-64 and Fig. 11, also please see Col 6, lines 55-67 and Col 7, lines 1-8).

Therefore, it would have been obvious to one ordinary skill in the art at the time of invention was made having the teachings of Makoto and Inokuchi before him/her, to modify Makoto with Inokuchi's system and method to convert file name. One would

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have been motivated to do so in order to facilitating better file management (indexing, classifying, storing) among different operating systems as taught by Inokuchi.

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 1-9, 11-35, 37-41 and 43-50 have been considered but are moot in view of the new ground(s) of rejection in view of Makoto et al. (European Patent Application No. EP 1085515 A2, 'Makoto', hereafter).

### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HASANUL MOBIN whose telephone number is (571)270-1289. The examiner can normally be reached on Monday Thru Friday 5:30 to 1:00 and Saturday and Saturday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business

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Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. M./

Examiner, Art Unit 2168

/TIM T VO/

Supervisory Patent Examiner, Art Unit 2168